

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)
SCREENING REPORT

DUBLIN CITY COUNCIL
SCREENING TO DETERMINE THE NEED FOR STRATEGIC
ENVIRONMENTAL ASSESSMENT (SEA) OF:
PROPOSED DRAFT VARIATION (NO. 2) OF THE DUBLIN CITY
DEVELOPMENT PLAN 2022 – 2028

Pursuant to the European Union Directive 2001/42/EC, and,
European Communities (Environmental Assessment of Certain Plans and
Programmes) Regulations 2004 (SI No. 436 of 2004 as amended by S.I.
No. 201/2011).

1.0 Proposed Variation (No. 2) of Dublin City Development Plan 2022-2028

To change land-use zoning objective Z12 ('Institutional Land [Future Development Potential]') to land use zoning objective Z15 (Community and Social Infrastructure) on lands (4.08 ha) adjacent to Dublin City University Glasnevin Campus and Albert College Park, Glasnevin, Dublin 9.

2.0 Preliminary

The SEA Directive - Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment - was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (**SI No. 435 of 2004**) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (**SI No. 436 of 2004**).

Both sets of Regulations became operational on 21st July 2004.

The Regulations have been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (**SI No. 200 of 2011**) and the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (**SI No. 201 of 2011**).

Under **S.I. No. 436 of 2004**, as amended under **SI No. 201 of 2011**, screening to determine whether SEA is required is mandatory for:

- (a) Local Area Plans, where the population or the target population of the area is less than 5,000 people, or the area covered by the local area plan is less than 50 square kilometre;

(b) Development Plans where the population or target population of the area is less than 10,000 persons; or

(c) **Variation**, amendments or modification of **City** and County **Development Plans** and Planning Schemes in respect of Strategic Development Zones.

This proposal to rezone a parcel of land from Z12 ('Institutional Land [Future Development Potential]') to land use zoning objective Z15 (Community and Social Infrastructure) is a variation to the Dublin City Development Plan 2022 – 2028 and therefore a Strategic Environmental Assessment (SEA) screening report is mandatory. The conclusion of this SEA screening report will ascertain whether a full SEA is required and such a determination will be made public.

An updated set of Section 28 Guidelines on SEA was published in 2022 by the Department of Housing, Local Government and Heritage (DHLGH) entitled *Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities, March 2022*. The Guidelines place an enhanced emphasis on key aspects of SEA including screening for SEA.

3.0 Purpose of Report

The purpose of this SEA screening report is to consider whether the proposed draft variation of the Dublin City Development Plan 2022-2028 requires a full Strategic Environmental Assessment. The assessment is based on the criteria set down in Schedule 2A of the Planning and Development Regulations 2001, as amended / Annex II of Directive 2001/42/EC, and having regard to the DHLGH SEA Guidelines 2022 (and in particular guidance set out in Appendix B).

4.0 Proposal

It is proposed to vary the Dublin City Development Plan (CDP) 2022-2028, by changing the land use zoning of the subject lands (4.08ha) adjacent to Dublin City University Glasnevin Campus and Albert College Park, Glasnevin, Dublin 9.

From: Zoning Objective Z12 – ‘Institutional Land (Future Development Potential)’
- *‘To ensure existing environmental amenities are protected in the predominantly residential future use of these lands.’*

To: Zoning Objective Z15: Community and Social Infrastructure – ‘To protect and provide for community uses and social infrastructure.’

This proposed draft variation is delineated on the attached map, Figure 1, an extract from Map B, Volume 3 of the Dublin City Development Plan 2022 – 2028.

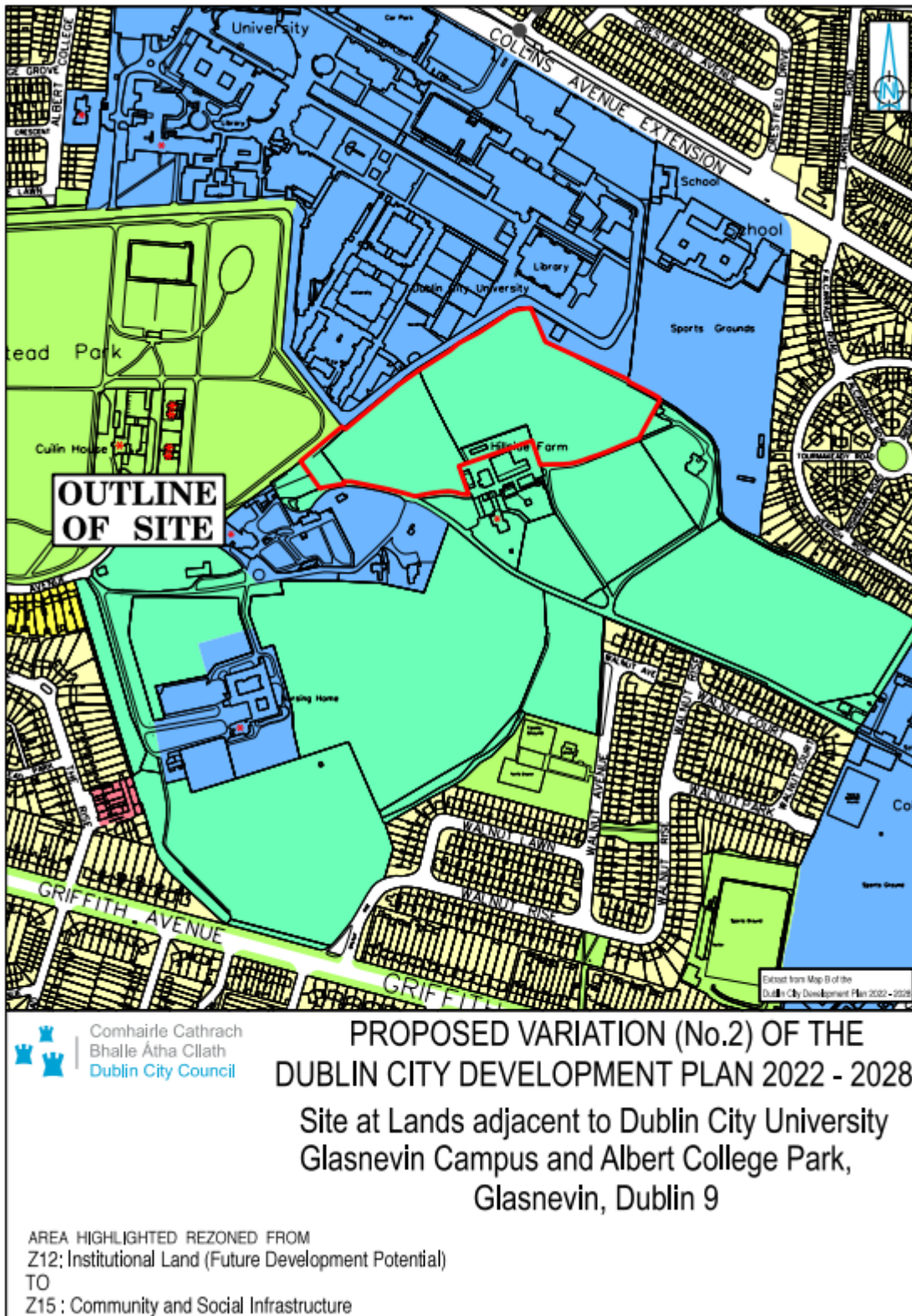


Figure. 1: Location of Proposed Variation (No. 2) to the Dublin City Development Plan 2022-2028 at Lands adjacent to Dublin City University Glasnevin Campus and Albert College Park, Glasnevin, Dublin 9.

5.0 Location and Description of Lands

The lands, 4.08Ha in area, comprise large fields adjoining the DCU campus to the north and Hillside Farm to the south. Dublin City University is situated on the south side of Collins Avenue Extension, the location of its primary access. A secondary access is on the Ballymun Road. The fields, the subject lands, have been identified as being in agricultural use.

The surrounding area to the DCU campus and proposed future campus lands, the subject of this variation, are served by the surrounding road network that includes various public transport bus routes with the nearby carriage-way incorporating cyclepaths accessing the lands both on Collins Avenue to the east and the Ballymun Road to the west of the site. Ballymun Road also has a dedicated bus corridor. The location of the lands in this part of Dublin will, in the future, be served by the Metro. In short, the lands are well served by an existing public transport corridor, serving the wider area with bus and cycle routes direct to the city centre.

The subject site historically forms part of the Hampstead Estate. The Hampstead Estate comprises a working farm (Hillside Farm) with a long-established private hospital in the grounds. The Hillside Farm lands (also agricultural lands) to the south are zoned Z12. The Hampstead Hospital lands to the south-west are zoned a mixture of Z12 and Z15.

A brief planning profile of the proposed variation site (4.08ha) is as follows:

There are –

- no statutory designations (e.g. a protected structure or Architectural Conservation Area [ACA] etc.), on the lands but there is a protected structure / structures of regional significance as recorded by NIAH on adjacent lands
- no specific objectives attaching (e.g. red hatch conservation area, site or area of archaeological interest etc.), SMR sites in the locality,
- no Natura 2000 sites on or beside the variation site,
- no NHA (Natural Heritage Area) or a proposed NHA on or beside the variation site and,
- no flood risk issues as set out in the accompanying SFRA statement to this variation documentation, which classifies the site as Flood Zone C (with a low probability of flooding) suitable for vulnerable uses without the need for a justification test, all as per the Section 28 Guidelines on Flooding 2009, as amended.

6.0 Purpose of the Proposed Draft Variation

Under the 2022 – 2028 Dublin City Development Plan, the existing Dublin City University (DCU) Glasnevin campus is zoned Z15 (Community and Social Infrastructure) where the objective is *‘to protect and provide for community uses and*

social infrastructure.’ This Z15 zoning objective reflects the third level college campus and related uses on the lands.

The subject lands, which abut the DCU campus, have been acquired by DCU for the future expansion, in a sequential manner, of the college and its educational and related uses. These lands are zoned Z12 (‘Institutional Land (Future Development Potential)’), and these lands are required / identified for predominantly residential use.

The Planning Authority considers it appropriate to change the land use zoning of these lands from Z12 (Institutional Land (Future Development Potential)) to Z15 (Community and Social Infrastructure). A Z15 zoning (Community and Social Infrastructure) rather than a residential zoning as provided for under Z12 on the lands, would help support and secure the extension and development of the DCU third level campus and its educational and related uses on the lands. More appropriately the rezoning would reflect the zoning objective of the main DCU campus thus providing a consistency to the zoning policy across the existing / extended campus.

7.0 Background to the Proposed Rezoning

The Government’s *Housing For All – A New Housing Plan for Ireland* proposed a new tax to activate vacant land for residential purposes as a part of the Pathway to Increasing New Housing Supply.

The **Residential Zoned Land Tax** was introduced in the *Finance Act 2021*. The process to identify land to which the tax applies is now underway and the tax will be payable from 2024. The objective of the tax is to activate land that is serviced and zoned for residential use or mixed use, including residential use, in order to increase housing supply and to ensure regeneration of vacant and idle lands in urban locations.

All Local Authorities identify land in scope for the tax through the publication of draft, supplemental and final maps. Submissions on the draft and supplemental map stages are invited from the public as part of the process.

The subject lands were identified as in scope for the tax on the DCC draft RZLT Map. The landowner challenged the inclusion of the lands on the map and the Council determined that the lands satisfied the relevant criteria for inclusion on the map (Section 653B of the TC Act, as amended). This determination was confirmed by An Bord Pleanála.

As part of the statutory process a landowner can request a change of zoning of lands identified as in scope for the tax. The landowner of the subject lands requested that the lands be rezoned from Z12 to Z15 as this rezoning would be consistent with the existing adjoining University land zoning and would allow for the future planned sustainable expansion of the Campus at this location.

Under RZLT, the initiation of the variation process can only take place after an evaluation of all requests for a change of zoning made in relation to the draft **and** supplemental maps in order to take into account the full and cumulative assessment of the impact of all rezoning submissions received in relation to the publication of draft and supplemental maps on the proper planning and sustainable development of the area.

Having evaluated the 12 requests for a change to the zoning of lands included in the draft and supplemental RZLT maps it is considered to propose the making of a variation on these subject lands only.

8.0 Requirements

In terms of the Regulations, it is mandatory to undertake the screening process to determine whether or not to carry out a strategic environmental assessment as set out in Article 13K of the Regulations. An assessment of the proposed variation in terms of the criteria set out in Schedule 2A of the Regulations is set out below under Section 9.

9.0 Criteria for Determining The Likely Significant Effects On The Environment - Assessment in terms of Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011

The assessment below has had regard to the advice notes/guidance contained in *Appendix B - Guidance on applying criteria for determining whether a Draft Plan is likely to have significant effects on the environment (as per Schedule 2 of the Planning and Development Regulations 2001, as amended)* - of the recently revised and updated Section 28 Guidelines on SEA, March 2022, published by DHLGH.

THE CHARACTERISTICS OF THE PLAN HAVING REGARD IN PARTICULAR TO:

The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions, or by allocating resources;

The 2022 - 2028 Dublin City Development Plan sets the city wide planning framework (Core Strategy, Development Standards etc) for all projects and development in the city (excluding SDZ's).

All development proposals are assessed against the policies and objectives of the City Development Plan and all lower plans must be consistent with the City Development Plan. The content of the 2022 City Development Plan has been informed by Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) undertaken as parallel processes in tandem with each stage of the making of the development plan, thereby ensuring full integration and consideration of environmental issues.

Zoning objectives are a spatial expression of the core strategy / settlement strategy of the City Development Plan.

This proposed variation is seeking to change the zoning of the subject lands from Z12

('Institutional Land (Future Development Potential)'to Z15 (Community and Social Infrastructure).

Under the current zoning objective c.400 residential units could be provided on these lands.

The purpose of the variation / rezoning, is to help support and secure the extension and development of the DCU third level campus and its educational and related uses on the lands. More appropriately the rezoning would reflect the zoning objective of the main DCU campus thus providing a consistency to the zoning objective across the existing and extended campus.

This proposed variation is compatible and complementary with the strategies, policies and objectives of the Development Plan relating to the delivery of sustainable urban housing / mixed use development / community infrastructure etc across the city.

The degree to which the plan influences other plans, including those in a hierarchy.

The proposed draft variation to the Dublin City Development Plan 2022 – 2028 (CDP) is concerned with the rezoning of c.4 ha of lands at a local scale in the city

In the land use and spatial plan hierarchy, the Dublin City Development Plan 2022 - 2028 (CDP) sits below the Regional Assembly and Government levels. It influences lower tier plans such as Local Area Plans and masterplans etc.

The development plan sets out the planning policies and objectives for the city. Any lower tier plans must translate, conform with and implement the statutory policies and objectives of the City Development Plan 2022.

The planning policies and objectives of the Development Plan will ultimately guide the assessment of planning applications on the lands in the city.

The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development.

The 2022 - 2028 City Development Plan sets out the overall strategy (core strategy) for the proper planning and sustainable development of the city and consists of a written statement and plans indicating the development objectives for the city (as required under Section 10 of the P& D Act, as amended).The development plan includes, inter-alia, objectives for:

- the conservation and **protection of the environment** including objectives related to the **Habitats Directive**,
- the promotion of compliance with environmental standards and objectives established for bodies of surface water and groundwater, which standards and objectives are included in river basin management plans (**European Communities Regulations**),

- the integration of the **proper planning and sustainable development of the area** with the social, community and cultural requirements of the area;
- the development and **renewal of areas** that are in need of **regeneration**,
- the promotion of **sustainable settlement and transportation strategies** in urban areas including the promotion of measures to **reduce energy demand** reduce anthropogenic greenhouse gas emissions and address the necessity of adaptation to climate change.

The content of the 2022 - 2028 City Development Plan has been informed by Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) undertaken as parallel processes in tandem with each stage of the development plan making process, thereby ensuring full integration and consideration of environmental issues.

A variation to the City Development Plan is proposed as set out above. The Variation is concerned with the rezoning of lands at a local scale in the city. This proposed variation is compatible and complementary with the strategies, policies and objectives of the Development Plan relating to the delivery of sustainable urban housing, mixed use development, community development etc and with environmental protection and promoting sustainable development.

Environmental problems relevant to the plan.

The content of the 2022 - 2028 City Development Plan has been informed by Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA).

Chapter 5 of the development plan SEA - 'Environmental Baseline and Issues', identifies the environmental challenges relevant to the city in terms of, inter-alia, climate, air, soil, water and biodiversity.

On foot of the SEA of the Plan, the policies and objectives of the Development Plan contain measures to prevent, reduce and offset any potential significant adverse environmental effects of the Plan's strategy, policies and objectives.

A variation to the City Development Plan is proposed. The Variation is concerned with the rezoning of lands at a local scale in the city.

It is not considered that the proposed variation results in significant effects on the environment over and above any identified (and mitigated against) as part of the SEA of the City Development Plan.

There are no site specific environmental problems pertaining to the lands the subject of the variation.

The relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste management or water protection).

The 2022 - 2028 City Development Plan is relevant for the implementation of

European Union legislation on the environment.

The development plan must include, inter-alia, the following objectives:

- for the conservation and protection of the environment including objectives related to the Habitats Directive,
- the promotion of compliance with environmental standards and objectives established for bodies of surface water and groundwater, which standards and objectives are included in river basin management plans.

The proposed Variation does not directly relate to policies / objectives which are directly concerned with the implementation of European Union legislation on the environment.

This proposed variation is compatible and complementary with the strategies, policies and objectives of the Development Plan relating to the delivery of sustainable urban housing, mixed use development, community development etc and with environmental protection and promoting sustainable development.

CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED, HAVING REGARD, IN PARTICULAR, TO:

The probability, duration, frequency and reversibility of the effects.

Relevant Aspects of the Receiving Environment

Transport	Water / Wastewater	Flooding / Drainage	Biodiversity	Conservation	Archaeology
Served by Dublin Bus services and proposed Bus Connects routes on the eastern and western side of the lands and proposed Metrolink.	Water: Located in established water network. Wastewater: No major issues anticipated.	Future development on the lands in question must comply with the requirements for surface water management and flood risk management. Flood Zone C; the 100 year flood to be contained on site (see SFRA – Stage 1)	Townland hedgerow bordering lands and DCU; existing wildlife / wildlife corridors; including potential bat roosts. Not a known ex-situ Wintering Bird Inland Feeding Site.	No Protected Structures; 3 x NIAH on adjacent lands incl. PS at Hillside Farm (RPS No. 3511). No Conservation Area.	No RMP sites. Historic Townland boundary. Close to SMR sites DU014-103, a possible ringfort and DU014-142, Hampstead Castle, a possible tower house site

Current Land Use

The lands which are in agricultural use are located within the footprint of the city where services are available.

Current Z12 Zoning

The lands are currently zoned to provide for predominantly residential development in the city development plan. Under the current zoning objective c.400 residential units could be provided on these lands.

Proposed Z15 Rezoning

It is proposed to rezone the c. 4 ha of lands to Z15 (community / social infrastructure) uses (in limited exceptional circumstances residential development may be considered).

The purpose of the variation / rezoning to Z15, is to help support and secure the extension and development of the DCU third level campus and its educational and related uses on the lands. More appropriately the rezoning would reflect the zoning objective of the main DCU campus thus providing a consistency to the zoning objective across the existing and extended campus.

Under a Z15 zoning, the development plan seeks that a masterplan is provided which sets out the vision for the lands and demonstrates that a minimum of 25% of the overall area is retained for open space and or community and social facilities.

Outcome

The lands are identified for development under the current development plan. The characteristics of the effects of the proposed variation in terms of probability, duration, frequency and reversibility are likely to be the same as those under the current zoning objective pertaining to the lands.

In this vein the policies and objectives of the Development Plan contain measures to prevent, reduce and offset any potential significant adverse environmental effects of the Plan's strategies, policies and objectives.

The current zoning objective would provide for housing and the proposed zoning objective would provide for an extended university campus. A variation to rezone the subject lands from Z12 to Z15 would therefore affect the residential yield of the core strategy by approximately 400 residential units (based on c. 4ha of land that could provide a 100 units per hectare).

It is considered that as the core strategy of the development plan contains headroom of c.9000 units the core strategy of the development plan can accommodate the proposed change in zoning on these lands and the resultant change in residential yield.

In conclusion it is not considered that the proposed rezoning results in significant effects on the environment over and above any identified (and mitigated against) as part of the SEA of the City Development Plan, for the current Z12 zoning objective on the lands.

The cumulative nature of the effects.

The subject lands and agricultural lands to the south of these lands are proposed for development (predominantly residential) under the current Dublin City Council Development Plan 2022 – 2028.

The proposed draft variation relates to the rezoning of 4 ha of this wider land bank for university uses in connection with the adjacent DCU.

The cumulative nature of the effects of the proposed variation are likely to be the

same as those under the current zoning objective pertaining to the lands.

In this vein the policies and objectives of the Development Plan contain measures to prevent, reduce and offset any potential significant adverse environmental effects of the Plan's strategies, policies and objectives.

Projects arising from the rezoning will be subject to more detailed project level assessment and in compliance with the statutory planning and environmental consenting regime.

The transboundary nature of the effects.

The variation site is located within the administrative area of Dublin City Council. The proposed variation to the Dublin City Development Plan 2022 – 2028 will have no national, regional or inter-county transboundary effects.

The risks to human health or the environment (e.g. due to accidents).

The proposed variation, by itself, to change a Z12 zoning to a Z15 zoning will not result in any risks to human health or the environment.

The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected).

The site is restricted to a limited area of 4.08ha and the effects of the variation on the subject site and in the wider environs are considered to be local.

The value, and vulnerability of the area likely to be affected due to:

(a) special natural characteristics or cultural heritage;

There are –

- no statutory designations (e.g. a protected structure or Architectural Conservation Area [ACA] etc.), on the lands but there is a protected structure / structures of regional significance as recorded by NIAH on adjacent lands,
- no specific objectives attaching (e.g. red hatch conservation area, site or area of archaeological interest etc.), SMR sites in the locality,
- no Natura 2000 sites on or beside the variation site, including no known ex-situ sites on or directly adjacent the lands,
- no NHA (Natural Heritage Area) or a proposed NHA on or beside the variation site and,
- no significant flooding issues as set out in the accompanying SFRA statement

to this variation documentation, which classifies the site as Flood Zone C (with a low probability of flooding).

The proposed Variation will not have a significant impact on any special natural characteristics or cultural heritage of the area.

(b) exceeded environmental quality standards or limit values;

It is not expected that any environmental quality standards will be exceeded or that the value of vulnerable areas limited, as a result of the proposed variation.

(c) intensive land use

The lands are located in the 'outer suburbs' and can be served by adjacent / proposed public transport corridors. Future development on the lands must conform with development plan standards / objectives in respect of density / height for these areas. Under a Z15 zoning, the development plan seeks that a masterplan is provided which sets out the vision for the lands and demonstrates that a minimum of 25% of the overall area is retained for open space and or community and social facilities.

The effects on areas or landscapes which have a recognised national, European Union or international protection status.

The location of the proposed rezoning is not located on or beside areas or landscapes of any national, European Union or International protected sites.

Stage 1 Appropriate Assessment Screening indicates that the proposed variation will not have any significant cumulative, direct or indirect impacts upon any of the Natura 2000 sites. Therefore it is not considered necessary to undertake any further stages of the Appropriate Assessment process during this plan stage.

10.0 Statutory Consultation

In line with SI 436 of 2004/2011, as amended, a SEA Screening Report and proposed determination was issued (17th August 2023) to the specified environmental authorities listed below for consultation over a three week period.

- Environmental Protection Agency;
- Minister for Housing, Local Government and Heritage
- Minister for Environment, Climate and Communications; and
- Minister for Agriculture, Food and the Marine.
- Adjacent Local Authorities

Table 1 below summarises the submissions and responses to same.

Table 1 Submissions from Environmental Authorities and Response

Environmental Authority	Submission	Comment
<p>EPA Submission received 24th August 2023</p>	<p>Submission notes the role of the EPA as one of the Environmental Authorities and it provides a list of recommended guidance and resource material. Particular reference is made to the following tools and resources:</p> <ul style="list-style-type: none"> ▪ Environmental Sensitivity Mapping (ESM) Webtool. Available at: www.enviromap.ie ▪ EPA SEA Web GIS Tool. Available at: https://gis.epa.ie/EPAMaps/SEA ▪ EPA WFD Application. Available at: https://wfd.edenireland.ie/ and www.catchments.ie ▪ EPA AA Geo Tool. Available at: http://www.epa.ie/terminalfour/ApproAssess/index.jsp and https://gis.epa.ie/EPAMaps/AAGeoTool ▪ SEA of Local Authority Land Use Plans - EPA Recommendations and Resources'. 2022 Version 1.18. <p>Future amendments to the plan should be screened and the final SEA determination should be put on public display and sent to the environmental authorities.</p>	<p>Guidelines & resources, where relevant are considered within the assessment</p> <p>Noted.</p>

11.0 Conclusion

The proposed variation No. 2 to the Dublin City Development Plan 2022 – 2028 has been examined in light of the criteria detailed in Schedule 2A of the Planning and Development Regulations 2001, as amended and it is considered that the proposed variation is not likely to have significant effects on the environment for the reasons outlined above. In this regard it is determined that a strategic environmental assessment is not required.

SEA Determination

Strategic Environmental Assessment (SEA) Screening Determination

Under:

SEA Directive 2001/42/EC and
Planning and Development (Strategic Environmental Assessment)
Regulations 2004 (SI No.436 of 2004), as amended by
the Planning and Development (Strategic Environmental
Assessment) (Amendment) Regulations 2011 (SI No. 201 of 2011)

For:

PROPOSED VARIATION NO. 2 OF THE DUBLIN CITY DEVELOPMENT PLAN 2022 – 2028

This determination has been made by Dublin City Council relating to the potential for Proposed Variation No. 2 to have likely significant effects on the environment.

This determination has been made following consideration of proposed Variation No. 2, the information contained in the SEA Screening Report, criteria set out in Schedule 2A of the Planning and Development Regulations 2001, as amended, consideration of the Appropriate Assessment (AA) Screening Conclusion (see separate AA Screening Report) and to the consultation response received from the Environmental Protection Agency.

Following an analysis and evaluation of the relevant information, including the nature of the proposed variation and its potential for effects on the environment that could result from the implementation of the variation, it is considered that that the proposed variation would not be likely to have significant effects on the environment.

I hereby recommend that a determination for the need for a Strategic Environmental Assessment be made for the purposes of the SEA Directive 2001/42/EC and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 /2011, that SEA is not required for the Proposed Variation No. 2 of the Dublin City Development Plan 2022 - 2028.



Deirdre Scully
City Planner

8th September 2023

Date